IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 2415 OF 2005

Rikhiram Tulsiram Arora & others. ... Petitioners
Versus.
The Stock Exchange Mumbai & others. ... Respondents.

Shri Shyam Diwan with Shri Biren Saraf and Shri Ajay Vazirani i/by M/s.Hariani & Co. for the Petitioners.

Shri P.N.Mody with Shri Sagar Divekar i/by M/s.Wadia Ghandy & Co. for Respondent No.1.

Shri D.V.Merchant i/by M/s.H.N.Assocates for the Respondent No.2.

Shri D.V.Mehta i/by M/s.Dhruve Liladhar & Co. for Respondents Nos.5 to 14.

CORAM : H.L.GOKHALE, &
ABHAY S. OKA, JJ.

DATED : 24th FEBRUARY, 2006.

P.C.:

1. The learned Counsel for the Petitioner and for Respondents Nos.1, 2, and 5 to 14 tendered the Minutes dated 24th February 2006 initialled by the learned Advocates appearing for the respective parties and seek an order in terms thereof.

2. Inasmuch as the dispute is principally between the Petitioner on the one hand and Respondents Nos.4, 5 to 14 on the other hand and since Respondent No.1 has agreed to make available arbitration machinery of the Stock Exchange, we pass an order in terms of this minutes. The learned Counsel appearing for the

concerned parties, including the 1st and 2nd Respondents submit that they are invoking the powers of this Court under section 89 of the Code of Civil Procedure, 1908, for the purpose of appointment of the Arbitrators in the dispute between the Petitioners on the one hand and Respondents Nos.4, and 5 to 14 on the other. They also further state that they are not seeking any reason in support of this order. Accordingly there will be an order in terms of these minutes. The parties are directed to act in terms of the minutes, which are taken on record and marked "X" for identification. Petition stands disposed of.

(H.L.Gokhale, J.)

(Abhay S.Oka, J.)